

Putting Your J.D. to Work: Advice for Students Seeking Law Firm Employment

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I. INTRODUCTION

Many students come to law school knowing little about either the professional opportunities a law degree affords or the practical aspects of pursuing those opportunities. As the American Bar Association's standards for the approval of law schools reflect, the law school has an affirmative duty to its students to help bridge this gap.¹

The law school placement office plays a primary, but not exclusive, role in this educational process. Law school faculty members as well often are called upon to provide guidance.²

This is not surprising. Because the placement office serves as a crucial link between law school and professional employment, it often becomes the focal point for student frustration when the job search proves difficult. This frustration drives some students to others for guidance. In addition, many faculty members create mentor-mentee relationships with their students. As a result, students quite naturally turn to faculty members for advice either in place of, or in addition to, the placement office. Finally, to the extent faculty members engender feelings of trust and respect from their students, it is likely that their advice may have a disproportionate impact on a student's planning.

While willing faculty play a significant advisory role, they often are hindered by limited experience and insufficient information. Many in teaching have limited firsthand experience outside academia, and what experience they have may be dated.³ Furthermore, because most faculty members were quite successful in law school,⁴ they may have a limited perspective on the hiring process as it affects the bulk of their students. Given the demands of teaching and scholarship, there is little time to supplement one's understanding of the placement process.

As a faculty member actively concerned with the placement of my students, I have felt these limitations. This Article represents a limited attempt to transcend them. It is addressed primarily to students, providing some basic information on how

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1. A.B.A., *APPROVAL OF LAW SCHOOLS*, Standard 213 (1983).

2. Faculty are called upon not only to provide letters of recommendation or advice concerning particular employers, but also to advise students about the legal profession and how to enter it.

3. In a study of those teaching law in 1975-76, it was found that 5.8 percent assumed tenure track positions immediately upon graduation from law school. The remainder had a median of five years experience after graduation, with eighty percent entering teaching within ten years of graduation. Fossum, *Law Professors: A Profile of the Teaching Branch of the Legal Profession*, 1980 AM. B. FOUND. RESEARCH J. 501, 510-12.

4. *Id.* at 509, 527.

to find law firm employment, but also to faculty in the hope that it will provide them useful information in counseling students.

II. CAREER PLANNING IN GENERAL

Career planning can be immobilizing because of the number of variables that are involved. Where do you want to live? What do you want to do with your law degree? If you decide to work for a law firm, what type of practice do you want? Do you see your first job after law school as a temporary apprenticeship, or the beginning of a long-term relationship? In addition, many of these factors are interrelated. For example, if you want to live in a small city, it will be hard, although not impossible, to find a sophisticated large firm practice there. Ultimately, you will need to decide what is important to you.⁵ This Article addresses some of the factors you should consider and refers you to additional sources concerning them.⁶ It does not address in detail the mechanics of job hunting, writing cover letters, preparing resumes and interviewing, since much of that information is readily available either from your placement office or from books on the subject.⁷

A. Career Choice

When thinking about what to do with your law degree, think broadly. There is no "right" career path. While most lawyers choose careers in private practice,⁸ and that is the focus of this Article, rewarding careers exist with government, public interest organizations, corporations, the judiciary and in academia.⁹ In addition, a

5. See generally F. UTLEY & G. MUNNEKE, FROM LAW STUDENT TO LAWYER 21-31 (1984) (providing guidance on how students can analyze their career objectives); Redmount, *Career Development and the Practice of Law*, 5 J. OF THE LEGAL PROF. 69, 75 (1980) (generally discussing personal fulfillment issues in a legal career).

6. The National Association for Law Placement publishes an excellent annotated bibliography on placement and the recruitment process which is the best source to consult for further references. NATIONAL ASSOCIATION FOR LAW PLACEMENT, LAW PLACEMENT AND RECRUITMENT BIBLIOGRAPHY (1984).

7. See, e.g., GRADUATE GROUP, OUTSTANDING RESUMES OF BUSINESS AND LAW GRADUATES (1984); S. MILLER, AFTER LAW SCHOOL? FINDING A JOB IN A TIGHT MARKET (1978); J. RYAN, STATING YOUR CASE: HOW TO INTERVIEW FOR A JOB AS A LAWYER (1982); F. UTLEY & G. MUNNEKE, *supra* note 5. Students also may find of interest material on recruiting and interviewing written from the employer's perspective. See, e.g., A.B.A., YOUR NEW LAWYER (1983) (collection of "how to" essays on the recruitment and training of new lawyers); PRACTICING LAW INSTITUTE, COURSE HANDBOOK SERIES NO. 42, RECRUITING AND INTERVIEWING (1970); C. WHITE & A. THORNER, MANAGING THE RECRUITMENT PROCESS (1982) (chapters 7 and 8 on interviewing and evaluating applicants are particularly interesting); Magness, *The Art of Effective Interviewing*, NAT'L L.J., Oct. 11, 1982, at 15, col. 1.

8. See NATIONAL ASSOCIATION FOR LAW PLACEMENT, CLASS OF 1983 EMPLOYMENT REPORT AND SALARY SURVEY 30, table 5 (1985) (in each year during the period 1974-1983 between 51-60% of law school graduates entered the profession in private practice); Metaxas, *The Class of 1984 Finds Work, Mostly in Private-Practice Areas*, NAT'L L.J., March 10, 1986, at 4, col. 1 (57.4% of Class of 1984 employed in private practice).

9. See, e.g., A.B.A., NON-LEGAL CAREERS: NEW OPPORTUNITIES FOR LAWYERS (1979) (general descriptions); A.B.A., NOW HIRING: GOVERNMENT JOBS FOR LAWYERS (M. Giffin, ed. 1985) (providing agency by agency information on Federal Government hiring); FEDERAL REPORTS INC., NATIONAL AND FEDERAL LEGAL EMPLOYMENT REPORT (published monthly; lists attorney and law-related federal positions throughout the United States and abroad); HARVARD LAW SCHOOL, PUBLIC INTEREST/HUMAN SERVICES EMPLOYERS (1986) (contains over 175 listings); LAW AND BUSINESS, INC., DIRECTORY OF CORPORATE COUNSEL, 1986-87 ANNUAL REPORT (1986) (lists 5,000 corporations and subsidiaries); NATIONAL ASSOCIATION FOR LAW PLACEMENT, FEDERAL AND STATE JUDICIAL CLERKSHIP SURVEY (1986) (contains responses from 3,500 judges concerning their employment needs); NATIONAL ASSOCIATION FOR LAW PLACEMENT, LEGAL CAREERS: CHOICES AND OPTIONS (1982) (contains general descriptions of traditional and non-traditional legal careers); II NATIONAL ASSOCIATION FOR LAW PLACEMENT, LEGAL CAREERS AND OPTIONS (1983); OFFICE OF CAREER PLANNING AND PLACEMENT, FROM CLASSES TO CLIENTS: A LAW STUDENT'S GUIDE TO THE PRACTICE OF LAW (1982) (briefly describing more than thirty types of traditional and non-traditional legal practice); WOMEN LAWYERS

wide variety of exciting non-traditional employment opportunities exist for lawyers.¹⁰ Try not to let the easy access to law firms which the placement office provides or the seeming prestige of a major law firm practice seduce you into such a career if that is not where your interests lie.¹¹ This is not to say that law firm practice is a bad place to start if your ultimate ambitions lie elsewhere. Actually, it may be your best route to an alternative career. Many individuals start their careers with law firms at which they gain experience, contacts with clients who may employ them later and additional marketable credentials.¹² Remember, however, that you have many career options both in the short-run and over the long-term.

B. Choosing an Area in Which to Live

While many individuals know from the outset of law school where they wish to settle, many others do not. This is particularly true for students who feel a need to broaden their job search to find suitable employment.

Picking an area in which to live is not a scientific enterprise. Nevertheless, there are a number of techniques one might use. One should look at the many available sources that describe life in various cities.¹³ In addition to the books on the subject, a magazine index, such as the *Reader's Guide to Periodical Literature*, will identify a number of articles about individual cities, as well as articles comparing cities in which you might be interested.

Beyond the geographical area itself, you might also focus your inquiry on the legal community and whether it is expanding. A search of the indexes of such national publications as *The American Lawyer*, *Legal Times of Washington* and *The*

OF FRANKLIN COUNTY, INDEX OF ATTORNEY POSITIONS IN STATE GOVERNMENT. See generally BIBLIOGRAPHY, *supra* note 6 (describing an excellent list of sources by practice area—private practice, business and industry, judiciary, government, public interest, academic, other).

10. See *supra* note 9 (selected sources therein). See also Munneke and Utley, *How Do You Decide on a Nonlegal Career?*, BARRISTER, Summer 1985, at 19.

11. In addressing curriculum reform at Harvard Law School in the early 1980's, the Committee on Educational Planning and Development noted that more than eighty percent of their students took summer jobs and permanent employment in the private corporate sector and attributed this to "the possibility that our graduating students are poorly informed about the alternatives open to them, and . . . that the School's educational program may be implicated in their possible failures of perception." HARVARD LAW SCHOOL COMMITTEE ON EDUCATIONAL PLANNING AND DEVELOPMENT, REPORT, chapter 1 at 26-27 (Tentative Final Draft 1982). See also Crampton, *Legal Education and Legal Services—Some Reflections*, 12 CREIGHTON L. REV. 487, 490 (1978) (noting a shift in student interest from first to third year "from an interest in public service jobs to a desire to make money in private practice on behalf of corporate interests").

12. Increasingly, lawyers are changing jobs during their careers rather than making a career with a single employer. Cf. Galante, *For Firms, Breaking Up Is Hard to Do*, NAT'L L.J., Aug. 26, 1985, at 1, col. 2 (attributing the breakup of law firms in part to "greater attorney mobility"). In fact, the National Law Journal, in response to the fact that "more lawyers than ever before are moving from firm to firm," recently began reporting such moves in a weekly column entitled "Lateral Moves." NAT'L L.J., March 24, 1986, at 1, col. 3.

A recent study of the legal profession reports that of lawyers in private practice, 11 percent of the partners, 26 percent of the senior associates and 35 percent of the junior associates plan to change jobs within two years. See Hirsch, *Are You on Target?*, BARRISTER, Winter 1985, at 17, 49. Only 16 percent of those lawyers intending to change jobs report doing so because their present job provides "limited or no advancement potential". *Id.* In terms of the future position they desire, only 26 percent plan to stay in private practice and 31 percent intend to look for non-legal positions. *Id.* at 18.

13. See, e.g., H. BAYLESS, *THE BEST TOWNS IN AMERICA* (1983) (describes 50 towns with populations of 25,000 to 100,000); R. BOYER & D. SAVAGEN, *RAND McNALLY PLACES RATED ALMANAC* (2d ed. 1985) (rating 329 metropolitan areas).

National Law Journal often will identify articles about areas where law practice is currently growing.¹⁴

In addition, you should consider the type of law you wish to practice. While it is possible to practice virtually any specialty anywhere in the country, certain types of work tend to be concentrated in particular regions. For example, firms in state capitals are more likely to provide representation before governmental entities. New York, Los Angeles and Nashville serve as entertainment law centers. A large amount of international work, particularly with South and Central America, is concentrated in Miami.

Finally, you may wish to visit the area in question in order to gain a better appreciation of what it would be like to live there. I know from the experiences of my students that although they may like a certain city in the abstract, visiting it, or better yet living there for a summer, often changes their impressions.

The process of evaluating where you want to live serves a second purpose as well. In securing employment, particularly for the summer, it will help if you can convince an employer that you have a genuine interest in settling there. While most employers feel they can sell themselves and their location to you during the summer, given a choice between equally attractive candidates, an employer will pick the student they feel is more likely to accept a permanent offer. If you have done your homework and can explain why you are interested in a particular location, your ability to impress that firm will improve.

C. Choosing a Law Firm

If you are considering employment with a law firm, there are a variety of sources to consult to determine the law firms with which you might wish to interview. General books describing law firms include *Martindale-Hubbell*, *The American Lawyer Guide to Leading Law Firms*, *The National Law Journal's Directory of the Legal Profession*, and *Law and Business, Directory of Major United States Law Firms*. In addition, there are registers of lawyers, by specialty, you can consult if there is a special area of practice you hope to enter.¹⁵ More detail on each firm is available in the forms prepared by the National Association for Law Placement.¹⁶ Those are available for many firms in your law school's placement office. One also

14. See, e.g., Blodgett, *Boomtown: Miami Lawyers Stake a Claim*, A.B.A.J., June, 1985, at 17 (proliferation of international financial entities creates business for Miami firms); Graham, *Spin-Offs Take Root in Fertile Georgia Soil*, Legal Times, Nov. 4, 1985, at 25, col. 1 (discussing growth trends in Atlanta firms); Graham, *Competition Hits Denver Legal Market*, Legal Times, Oct. 29, 1984, at 1, col. 2; Metakas, *N. J. Firm Basks in Area's Glow*, Nat'l L.J., July 28, 1986, at 1, col. 1; Nelson, *Period of Significant Growth Returns for D.C.'s Law Firms*, Legal Times, June 11, 1984, at 1, col. 2; Taylor, *Texas Capital Feels Winds of Legal Competition*, Legal Times, Mar. 5, 1984, at 40, col. 1; cf. Adler, *Alaska: Where Life and Law Can Both Be Practiced*, Am. Law., Nov. 1982, at 20, col. 1. In addition to identifying locales experiencing significant growth in their legal communities, you may wish to identify firms undergoing significant expansion. See, e.g., *Growth Comes in Packages of Many Sizes, Shapes*, Legal Times, Sept. 16, 1985, at 4, col. 1 (providing statistics on 30 firms nationwide which have experienced the greatest percentage increase in size from 1984 to 1985).

15. See, e.g., A.B.A., *CAREER PREPARATION AND OPPORTUNITIES IN INTERNATIONAL LAW* (2d ed. 1984); A.B.A., *CAREERS IN PATENT LAW* (1971); E. WAYNE, *CAREERS IN LABOR LAW*, app. B (1985); *LAWYER'S REGISTER BY SPECIALITIES & FIELDS OF LAW* (J. Fuerst ed. 1985); *Who's Who in American Law* (4th ed. 1985-86).

16. NATIONAL ASSOCIATION FOR LAW PLACEMENT, *DIRECTORY OF LEGAL EMPLOYERS* (1986-87).

should refer to the legal periodicals previously mentioned, as they often print articles about law firms and law practice in particular cities.¹⁷ In addition, if you are interested in a particular city and its law firms, you should look at the city's major newspapers and monthly magazine because they periodically print articles on local lawyers and law firms.¹⁸

D. Contacting Law Firms in the Area of Your Choice

There are several ways to approach this task. One is to contact law school alumni in the area. Often they will be willing to advise you on practice in their city, even if they are not in the position to hire you.¹⁹ Similarly, you may wish to contact others with whom you have some link: fraternity or sorority members or alumni from your undergraduate institution, or friends in the area who may know lawyers to whom they could introduce you.

In addition, you should try to use the placement office of a law school in the target area. By having your law school placement office make the initial contact, you often can gain access to their material. Even if this cannot be arranged, some law schools post job information on bulletin boards which one can consult to find firms that are hiring.

Contacting private placement consultants²⁰ is a long shot, because they usually place individuals who are already in practice. However, you may be able to enlist their services by highlighting your previous work experience in areas outside the law, or if you have clinical experience, by stressing the similarities between a student with clinical experience and those with limited experience in practice.

Another approach is simply to move to the city of your choice, where it will then be easier to make contacts and ultimately find a job. The problem, of course, is that

17. A significant number of articles have been written about law practice in individual firms or in particular locations. The following citations are not exhaustive, but merely illustrative of articles in this area. See, e.g., Arthurs, *Shakeouts Felt by Pittsburgh and Its Firms*, Legal Times, Feb. 11, 1985 at 1, col. 2; Billard, *The Jones, Day Guide to Law Firm Autocracy*, Am. Law., April, 1986, at 109, col. 1; Billard, *Getting Used to Getting Big*, Am. Law., March, 1984 supp., at 26, col. 1 (Chicago firm of Sachnoff, Weaver & Rubenstein); Frey, *Ups and Downs at White & Case*, Am. Law., Jan.-Feb. 1986, at 116, col. 1; Huffman, *Sophistication, Tradition Mix in Wilmington*, Legal Times, Sept. 26, 1983, at 36, col. 1; Lyons, *Baker & McKenzie: The Belittled Giant*, Am. Law., Oct. 1985, at 115, col. 1; Masters, *Profession Moving and Shaking in L.A.*, Legal Times, Feb. 28, 1983, at 1, col. 1; Mellowitz, *Reigning in Indianapolis: Barnes & Thornburg Takes on the Giants*, Nat'l L.J., Feb. 27, 1984, at 1, col. 2; Ranii, *High Stakes in Columbus*, Nat'l L.J., Oct. 21, 1985, at 1, col. 1 (profile of Porter, Wright, Morris & Arthur); Stille, *A Powerhouse: Hustling Firm Takes Off on Boston Boom*, Nat'l L.J., March 11, 1985, at 1, col. 1 (Boston firm of Fine & Ambrogne); cf. Abramson, Pollock & Rozen, *Carving Out a Specialty*, Am. Law., April, 1983 supp., at 6, col. 1 (contains 13 case studies of specialty firms plus directory of 147 specialty firms); Bruck, Cramer, Crossen, Rupert, Stewart & Warren, *13 Great Small Firms*, Am. Law., April, 1981 supp., at 27, col. 1.

The value of a periodical like the American Lawyer should not be underestimated. The July/August 1986 issue, for example, contains feature articles on four different law firms, an analysis of the profitability of the seventy-five highest-grossing law firms in the country, brief articles on another seven firms in the Bar Talk section and references to many others in the Big Deals and Big Suits sections. These last two sections are organized by region and may serve as a useful guide to firms that are engaged in some of the most significant legal work in an area.

18. For example, the Washington Post often runs a weekly column about law practice in D.C. entitled "Lawyers".

19. Many law school placement offices maintain files of their law school alumni and of university alumni with law degrees from other institutions.

20. See generally, *Legal Recruiters '86 A National Directory of Headhunters*, Am. Law., Jan./Feb. 1986 supp.; *Legal Recruiters & Search Firms*, Legal Times, March 31, 1986, at 13, col. 1.

you will need substantial financial resources until you find employment. However, some law students I know who have taken this approach have found it quite successful.

A related approach is to go to a city for a summer or a semester off before you graduate and volunteer your services. Government entities in particular often have openings for people who are willing to work on a volunteer basis. Consider this if your other option is not to have a summer job. Volunteer work provides a way to cover what might otherwise be a gap in your resume, gain experience and good professional references and potentially impress people in a way that might lead to a paying position with them in the future.

Finally, you might try simply sending blind letters to firms, telling them that you will be in their city during a specific period and requesting an interview during that time. If you have not heard from the firms, follow-up when you arrive there. I have several suggestions about writing such letters. First, while you can work from a form letter, you should tailor each letter to the particular firm you contact. For example, if you are writing a labor law firm, express your interest in labor law and show how that has been manifested in your course selection or in other ways. If you have significant experience outside law school that relates to a specific firm's practice, let them know that in the letter.²¹ Finally, when necessary, you may wish to "sell" your law school in your letter. Many firms are reluctant to interview students from schools where they do not traditionally hire. You may be able to overcome this by showing that your law school ranks favorably in comparison to schools from which they traditionally recruit. Comparisons based on quality of student body²² or other comparative rankings, such as the Gourman Report,²³ might be creatively used in this way.²⁴

III. COMPARING LAW FIRMS

If you are in the enviable position of having a number of choices, how do you begin to compare law firms? This section of the Article addresses a number of ways in which law firms may vary. You, of course, will have to decide which of these factors are important to you.²⁵

21. For example, if you have an engineering background, that will be of interest to patent firms and products liability firms. A background in medicine may be of interest to firms doing medical malpractice or health care law.

22. See, e.g., BARRON'S GUIDE TO LAW SCHOOLS (6th ed. 1984) (contains median LSAT scores and median undergraduate G.P.A.'s of students at 174 A.B.A.-approved law schools).

23. J. GOURMAN, THE GOURMAN REPORT, 75-80 (rev. 3d ed. 1985) (contains qualitative rankings of 175 law schools).

24. But see Van Alstyne, *Ranking the Law Schools: The Reality of Illusion?*, 1982 AM. B. FOUND. RESEARCH J. 649 (criticizing the worth of law school rankings, including a discussion of several).

25. See generally Hirsch, *supra* note 12 (presenting results of a national survey on factors affecting attorney job satisfaction). Zinke, *Money is Less Important than Work*, Nat'l L.J., July 28, 1986, at 16, col. 1 (describing factors important in attorney job satisfaction).

A. Structural Factors

1. Size

Law firms vary widely in size from solo practitioners to firms of 400 or more.²⁶ For many individuals, firm size is the most significant factor differentiating law firms.²⁷

Usually, the larger the firm the greater its prestige. Because of their size, large firms tend to have a significant client base and a diverse practice. They also tend to handle matters of greater scope, complexity and monetary value. Because of their size, they may be able to devote more time and resources to the development of young lawyers than can small firms, although the opposite may be true if one goes to a smaller firm and is "taken under the wing" of an established attorney.²⁸ Larger firms often have more room for individuals who do good legal work but may not be client getters, and they may be in a better position to absorb individuals who have unusual character traits. Finally, one usually can move more easily from a large firm to other employment opportunities than from a small one. To the extent you see your first job as a post-graduate training period rather than a long-term commitment, a larger firm may provide better training and opportunities for movement.

Smaller firms tend to provide responsibility more quickly and thus may provide more opportunity for self-learning than a larger firm. They also tend to have greater opportunities for rapid advancement. Size may also affect the firm's atmosphere. A smaller firm may be more likely to generate a team feeling and to treat you as an individual.²⁹ Frictions in a small firm may be more pronounced, how-

26. *The NLJ* 250, Nat'l L.J., Sept. 22, 1986, at 1, col. 2 (reporting eleven firms with 400 or more attorneys). According to a study for the year 1980, 64 percent of law firms consisted of two or three lawyers; 81 percent five or fewer. Firms of twenty or more lawyers numbered just over 1,000, but employed one-quarter of the lawyers in firm practice. Weil, *Economically, It's Been a Decade of Running in Place*, Nat'l L.J., Feb. 10, 1986, at 15, col. 1.

27. In a recent survey of the legal profession, overall job satisfaction was found to vary by firm size:

Firm Size	Percent in Private Practice Dissatisfied			
	Partner	Senior Assoc.	Junior Assoc.	Solo
Solo	—	—	—	19
2-3	17	22	52	—
4-9	5	11	18	—
10-20	8	7	27	—
21-30	5	12	3	—
31-60	3	10	12	—
61-90	0	8	22	—
91+	10	12	32	—

Hirsch, *supra* note 12, at 18, table 2.

In considering firm size, see *Life in a Small Firm/Big Firm*, A.B.A.J. May, 1985, at 52 (providing an impressionistic account of life in small and large firms by lawyers currently in practice). See also Stille, *Small Firms in America*, Nat'l L.J., July 8, 1985, at 1, col. 2.

28. A recent study of lawyers in firm practice reports widespread dissatisfaction with the training provided by law firms regardless of their size. Hirsch, *supra* note 12, at 20, table 8 (dissatisfaction ranged from 42% in firms of 31-60 to 63% in firms of 61-90). See also Taylor, *Learning the Law—After Law School*, LMG. NEWS, Spring 1986, at 5 (describing a number of in-house training programs).

29. Hirsch, *supra* note 12, at 20, table 8 (reporting that firms of 30 or less have more of a "warm and personal atmosphere" than do larger firms, with the greatest dissatisfaction reported in firms of 91 or more).

ever, while in a large firm you may be able to avoid more easily those whom you dislike.³⁰

2. *Type of Practice*

Firms, of course, vary widely in the types of matters that they handle. Some specialize in particular areas while others are quite diverse. As mentioned earlier, certain types of practice are concentrated in particular locations.³¹ If you wish to practice a specialty, this will be important to you. If, like most law students, you are flexible in your practice interests, a firm with a diverse practice might suit you best, affording you an opportunity to find your niche.

3. *Client Mix*

Some firms handle mostly national clients with problems of national scope. Other firms are local, primarily handling the needs of the local community, while still other firms handle a mixture of the two. The nature of the firm's clients, along with its staffing policies, will affect the amount and nature of your client contact.

An additional concern is the breadth of the firm's client base. If a firm relies on a limited number of major clients for the bulk of its work, defection of the client to another firm may create more difficulties than it would at firms with a broader base.

4. *Practice Outside the Home Office*

If you are considering a position in a branch office of a multi-office firm, several special considerations arise. In some firms the branch office is merely an outpost to service home office attorneys when on the road. In others, the branch is virtually autonomous, making its own hiring decisions and securing its own clients. The relationship between the home office and its branch may affect many things, including assignment practices within the firm and prospects for promotion. If the branch office does not make these decisions independently, try to discover how these decisions are made and if lawyers in the branch office feel that the system works fairly.

It may also be helpful to learn why the firm operates the branch. At times branches are established to service a particular client or to provide expert service in a limited practice area. Should the firm lose the client or should the practice area diminish the office may close.³²

A firm with a branch office may be particularly attractive for two reasons. First, if lateral movement is allowed between the offices, you may be able to change the location of your practice, should that become desirable, more easily than if you had to find new employment. Second, if the hiring standards vary across the firm's

30. *But cf. id.* (showing a strong correlation between increased firm size and negative feelings by attorneys about the degree of "political intrigue" at their firm).

31. *See supra* text accompanying note 14.

32. *See, e.g.,* Pressman, *The Boom Is Over: California Firms Cautious on Future of D.C. Branches*, L.A. Daily J., May 3, 1982, at 1, col. 6.

offices, you may be able to add to your credentials by working with a branch office of a prestigious firm even though you might not meet the hiring qualifications for certain of its offices.

B. Governance

Law firms are governed in a variety of ways. Some are run by a single individual who controls the firm. Others are truly run by the partnership. In the latter model, law firms vary in the degree to which associates are made part of their governance. In many instances this will make little difference to you, at least as a young associate. Governance issues can be crucial to a firm, however. If there is a major tension in the firm over governance, it may ultimately lead to the departure of certain partners or practice areas or even the collapse of the firm itself.³³ While such changes are often beneficial in the long-run, they can be quite disruptive initially. Unfortunately, it may be difficult to obtain any reliable information on this when you are choosing a firm.

C. Practice Factors

1. Assignments

In some firms you will be assigned to a particular partner or practice group. If you know the kind of law you want to practice and can arrange to be assigned in that area, this may be ideal for you. Other firms make initial assignments from a general pool of firm matters, while still others have associates rotate through the firm's practice areas for a period of time. After this general exposure to the firm, one then settles into a particular area of practice. This may be more appealing if you are unsure of the area of law in which you wish to concentrate.

Another factor to consider is whether the firm is currently embroiled in a massive case to which you may be assigned for years. While some associates may make a name for themselves in such litigation, others simply get lost, only to emerge years later with a narrow experiential base.

2. Pro Bono Opportunities

Although often overlooked when comparing firms, an important consideration is the opportunity to engage in public interest practice.³⁴ Law firms vary widely with respect to their view of pro bono activity. At some firms, pro bono activity is something done in one's spare time. Other firms actively encourage associates to take on pro bono work as a normal part of their practice. These firms may vary, however, by what they consider pro bono. For some it is work for the local bar association. For

33. See, e.g., Moore, *More Defections Reported at Wald, Harkrader*, Legal Times, Jan. 6, 1986, at 2, col. 1 (attributing breakup of the firm in part to "differing views on the firm's management"); Tell, *Marshall Bratter Loses Seven Partners in a Rift*, Nat'l L.J., Jan. 11, 1982, at 2, col. 3 (departure due in part to disagreement over firm's management).

34. As a lawyer you will have a professional responsibility to "render public interest legal service". See A.B.A., MODEL RULES OF PROFESSIONAL CONDUCT 6.1 (1983).

others it includes not only that, but also work with indigent or public interest clients.³⁵

3. Responsibility

Attempt to discover how soon you will get significant responsibility for the matters you are assigned. Larger firms tend to staff matters more heavily than smaller firms, and as a result, major responsibility often comes later. However, some large firms keep a mix of business so that new associates can be assigned smaller matters which provide early responsibility.

D. Benefits and Quality of Life

1. Firm Personality

While it is impossible to form a totally accurate picture of the personality of a firm, you can certainly get a sense of that through the interview process. If a firm feels too stuffy or too relaxed for you, chances are you will not fit in there. If you do not fit in, the chances are good that you will not enjoy legal practice there.

2. Hiring and Promotion

If you are considering a summer position, look at the number of summer associates in past years who subsequently received permanent offers and the number who accepted those offers. The former information may reflect how the firm feels about hiring from its summer program. The latter may help you understand how associates felt about the summer program. A review of the annual survey of summer programs, published by *The American Lawyer*, can serve as a starting point in understanding how summer programs may differ.³⁶

When considering long-term employment prospects at a firm, recognize that firms vary in their partnership practices. While some hire with the expectation that most associates will remain with the firm and become partners, others do not. Some firms desire significant associate turnover as they plan to add only a few partners a year. In other situations, turnover simply reflects the desire of associates to use a firm for training before turning to others things. Furthermore, partnership practices at firms vary over time. A firm which experiences rapid growth may have enhanced partnership opportunities for associates hired before the growth spurt, but comparatively diminished partnership opportunities for those hired once growth has leveled off. Given these variables, it may be difficult when selecting a firm to measure

35. For a recent article describing five significant pro bono projects undertaken by law firms see *Making A Difference*, Am. Law., July/Aug. 1986, at 97, col. 1. See also Adams, *Pro Bono Work: A Question of Time, Money*, Nat'l L.J., July 21, 1986, at 6, col. 1.

36. See, e.g., *Summer Associates '85*, Am. Law., Oct. 1985 supp., at 33, col. 1 (annual survey). See generally Adams, *N.Y. Summer Pay Passes 1,000-a-Week Mark*, Nat'l L.J., June 23, 1986, at 10, col. 1 (discussing weekly salary range for summer associates); Bergman, *Summer Associates—From Clients to Concerts*, Nat'l L.J., Sept. 9, 1985, at 1, col. 1; Moses, *Retrospective: Care and Feeding of Summer Clerks*, Legal Times, Sept. 15, 1980, at 28, col. 1. Cf. J. RYAN, *supra* note 7, at 77-85 (discussing how one should act in a summer clerkship).

partnership prospects years in the future. Nevertheless, if a high number of associates usually stay at a firm and make partner, the chances often are greater that you could also.

In addition to looking at the overall partnership picture, you should look at the experience of individuals who have recently come up for partnership. How many of them have been turned down at a late date? If a number have, try to discover why. It may reflect a problem in the firm's system for providing associates with feedback on their progress in the firm. A strong evaluation system, providing realistic feedback to associates on a regular basis, can be very important.

3. Hours

Almost all law firms are hard working, but some are more demanding than others. Attempt to get a realistic appraisal of what is expected in terms of billable hours³⁷ and how the law firm treats billing above that number. Some firms provide additional compensation for extraordinary hours billed.

Although rare, some firms may allow job sharing or other forms of part-time employment. Several organizations exist to help lawyers find this kind of arrangement.³⁸

4. Compensation

Firms vary widely in the compensation they provide in terms of starting salaries, availability of profit-sharing plans³⁹ and salary potential in later years. Furthermore,

37. According to a recent Price Waterhouse survey of law firms across the country, the median annual billable hours for associates and partners were as follows:

Law Firm Size	Associate Hours	Partner Hours
200 (Nat'l)	1810	1690
176-200 (Nat'l)	1750	1630
151-175 (Nat'l)	1790	1590
126-150 (Nat'l)	1760	1610
101-200 (N.Y.)	1750	1600
51-100 (D.C.)	1750	1600
31-75 (L.A.)	1740	1720
31-59 (D.C.)	1790	1670

Masters, *Largest Firms Kept Up Profits in '84*, *Price Waterhouse Says*, *Legal Times*, July 15, 1985, at 1, col. 2. See also Reskin, *Lawyers' Workweek Averages 50 Hours*, *A.B.A.J.*, Oct. 1985, at 42 (according to a telephone poll of 600 lawyers, associates work an average of 52 hours a week and bill 40); Reskin, *Average Lawyer Bills 41.6 Hours a Week*, *A.B.A.J.*, Oct. 1984, at 48 (according to a telephone poll of 528 ABA members in private practice, lawyers in firms work an average of 49.5 hours a week; 62% work more than 45 hours a week; 18% work more than 60).

According to a recent national survey, partners average 1,644 billable hours a year and associates 1,782. Altman & Weil, Inc., *THE 1986 SURVEY OF LAW FIRM ECONOMICS* 70. In terms of associate hours billed, an average associate in firms of 20 or less billed substantially less than those in larger firms. *Id.* at 76-77. In comparing individual firms, however, there are wide variances regardless of firm size.

38. Jacobs, *Part-time: Does It Work?*, *Nat'l L.J.*, March 3, 1986 at 1, col. 1 (general description of part-time employment in the law, including names of organizations promoting part-time work). See also Lezin and Kushner, *Yours, Mine, and Hours*, *BARRISTER*, Spring 1986, at 4; Morrison, *More Firms Turn to 'Temp' Lawyers*, *Nat'l L.J.*, July 28, 1986, at 1, col. 1 (describing employment of lawyers on a temporary basis by firms). One might also wish to contact Lawyers for Alternative Work Schedules, a recently created non-profit organization, the goal of which is to educate the legal community as to the benefits of adopting various work time options such as part-time, flex-time, and job sharing.

39. Cohen, *Boosting Associates with Profit Sharing*, *Am. Law.*, March 1986, at 11, col. 1.

there is no necessary correlation between the comparative size of one's starting salary and the ultimate returns received as a partner in one firm versus another. In addition, comparing salaries in firms in different cities can be misleading unless cost of living differences are considered. On the average, however, the larger the metropolitan area in which a practice is located, the higher the compensation offered, without taking cost of living differences into account.⁴⁰

Unfortunately, finding solid information to compare firms, beyond starting salaries, is often quite difficult. Nevertheless, a recent Price Waterhouse survey⁴¹ and an *American Lawyer* survey of the country's highest grossing law firms⁴² provide interesting reading on this issue.⁴³

5. Training

Firms vary greatly in the amount of training they provide both on a day-to-day basis and in more structured programs.⁴⁴ If a firm provides a training program in legal writing, a NITA course in trial practice, or its equivalent, or other forms of specialized training, you may obtain important additional training, even if you decide not to stay at the firm.

IV. CONCLUSION

My final advice: try not to get discouraged. It has taken some very good students I know hundreds of letters and months of effort before they found suitable employment. That it takes such effort is not a negative reflection on you or your abilities, but reflects the vagaries of the market. If you are creative and persevere, things will work out well.

40. See Altman & Weil, *supra* note 37, at 97-101.

41. See Masters, *supra* note 37.

42. *The Am. Law.* 75, *Am. Law.*, July/August 1986 supp. (second annual report including information on firm profitability of the 75 largest revenue firms in the United States).

43. See generally DAVID J. WHITE & ASSOC., *ANNUAL SALARY SURVEY FOR LAWYERS AND CORPORATE COUNSEL* (1985) (provides information for twenty metropolitan areas giving low, average and high salaries by years in practice); Weil, *supra* note 26, at 16, tables 1 and 2 (providing data on median income from 1975-1984 for new associates, nine year partners, twenty-five to thirty year partners and for several levels of corporate counsel); Altman & Weil, *supra* note 37 (providing extensive data on lawyer compensation arranged by geographic area, firm size, size of metropolitan area in which the firm is located, and years in practice).

Billable hour expectations appear higher on average in large firms, but compensation on both the associate and partnership levels also tends to be higher. *Id.* at 92-96. See also *supra* note 37.

44. See *supra* note 28 and accompanying text.